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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/076,713

02/14/2002

Douglas M. Crockett

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2084

23696

7590

06/18/2004

Qualcomm Incorporated
Patents Department
5775 Morehouse Drive
San Diego, CA 92121-1714

EXAMINER

GESESSE, TILAHUN

ART UNIT

PAPER NUMBER

2684

8

DATE MAILED: 06/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/076,713

Applicant(s)

CROCKETT ET AL.

Examiner

Tilahun B Gesesse

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-9, 12-17, 20-26 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-9, 12-17, 20-26 and 29-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to applicant's amendment and response filed March 11, 2004, in which claims 3-9,12-17,20-26,29-36 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3-5,12-14,20-23,29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt in view of Schultz (5,471,646).

As to claims 3,12-13,14,20,23,29,36, Schmidt discloses in server (21), a method for initiating a group a group call in a group communication network (figure 3), the method comprising: receiving a request for initiating a group call based on a member (originating phone 20 a request dial group no.10, column 3 lines 36-59 and figure 3) and initiating the group call based on the received member list (column 3 line 60-column 4 line 8, column 2, lines 25-35 and figure 3). Schmidt discloses receiving acknowledgement from a member who wishes to participate in the group call (send connect signal to the switch, column 6,line 29) and forwarding media to the member after its traffic channel is re-established (column 6 lines 30-31 and figure 7). Schmidt does not teach announcing the group call to each member in the member list and receiving acknowledgement from a member who wishes to participate in the group call and forward the media to the member after its traffic channel is reestablished.

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However, Schultz discloses announcing and acknowledging the reception of group call and forward traffic to the members (column 3, lines 30-column 4, line 17 and figure 1). Since, Schmidt, in the same art, teaches group call, then, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Schmidt and Schultz in announcing and acknowledging the reception of group call, as taught by Schultz, in order to let aware the group call member about the incoming traffic.

As to claims 11, Schmidt discloses announcing the group call to each member in the member list (column 4 lines 51-58).

As to claims 4,21,Schmidt discloses triggering the member to re-establish its traffic channel (column 6, lines 30-31).

As to claims 5, 22,30-31Schmidt discloses buffering media for transmission to the member after its traffic channel is re-established (column 5, line 64 –column 6 line 4).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-9,15-17,24-26 and 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schmidt in view of Schultz and further view of Schmidt (WO 01/31968).

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As to claim 6-8,14-16,23-25 and 32-34,Schmidt discloses the announcement includes transmitting the message on a forward paging channel of the wireless network (column 6, lines 18-36).

Schmidt and Schultz do not disclose forward common control channel of the wireless network.

Schmidt '968 discloses the paging message reside entirely on a portion of the SPACH or equivalent control channel (page 23 line 21–page 24 line 4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the time of the invention was made to combine Schmidt and Schmidt'968 in forwarding common channel of the wireless network, as taught by Schmidt' 968, in order to dispatch a call to the group call participants.

As to claim 9,17,26,35 Schmidt discloses transmitting the message in short data burst form. The ID field of an originating caller page message is considered "short data burst" (abstract).

Response to Arguments

6. Applicant's arguments with respect to claims 3-9,12-17,20-26,29-36 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Christensen et al (6,148,064) discloses a group call traffic channel and common traffic channel (abstract).

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Bridle et al (6,163,680) discloses group call and generates a list of the group call participants and further acknowledges the group call (column 5, lines 20-43 and figure 5)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 703-308-5873. The examiner can normally be reached on flex.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TBG

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December 2, 2003


TILAHUN GESESSE
PATENT EXAMINER